

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D. C. 20548

FILE: B-196593.2

DATE: June 2, 1980

MATTER OF: NEXUS Incorporated--Reconsideration

DIGEST:

[Request for reconsideration] of prior decision is dismissed as untimely when filed more than 10 working days after protester receives decision.

Nexus Incorporated (Nexus) requests reconsideration of our decision Nexus Incorporated, B-196593, April 15, 1980, 80-1 CPD 269. In that decision we held that the Government could accept an "equal" product which, as a result of prior testing, met the essential material requirements of the Government. As its basis for reconsideration, Nexus asserts we did not "understand the technical nature of what is involved."

Our Bid Protest Procedures, 4 C.F.R. 20.9(b) (1980), require that a request for reconsideration be filed not later than 10 working days after the basis for reconsideration is known or should have been known, whichever is earlier. In this connection, we have been informally advised by Nexus that while our decision was not time stamped upon its receipt at the firm's office, it was nevertheless received by the firm's president on April 29. Since the request for reconsideration was not filed (received) with our Office until May 14, 1980 it is untimely and not for consideration.

The request is dismissed.

Harry R. Van Cleave
for Milton J. Socolar
General Counsel

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